

# Daily Digest

## HIGHLIGHTS

Senate confirmed the nomination of Elisabeth Prince DeVos, of Michigan, to be Secretary of Education.

Senate confirmed the nomination of Jeff Sessions, of Alabama, to be Attorney General.

## Senate

### Chamber Action

*Routine Proceedings, pages S685–S974*

**Measures Introduced:** Forty-one bills and nine resolutions were introduced, as follows: S. 306–346, and S. Res. 48–56. **Pages S745–46, S867–68, S967**

#### Measures Reported:

S. Res. 48, authorizing expenditures by the Select Committee on Intelligence.

S. Res. 52, authorizing expenditures by the Committee on Finance.

S. Res. 53, authorizing expenditures by the Committee on Armed Services. **Pages S745, S869**

#### Appointments:

**Commission on Security and Cooperation in Europe (Helsinki):** The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appointed the following Senator as the Chairman of the Commission on Security and Cooperation in Europe (Helsinki) during the 115th Congress: Senator Wicker. **Page S716**

**Congressional-Executive Commission on the People's Republic of China:** The Chair, on behalf of the President of the Senate, pursuant to Public Law 106–286, appointed the following Members to serve on the Congressional-Executive Commission on the People's Republic of China: Senators Rubio (Chairman), Lankford, Cotton, Daines, and Young. **Page S716**

**John F. Kennedy Center for the Performing Arts:** The Chair, on behalf of the President of the Senate, pursuant to Public Law 85–874, as amended, re-appointed the following individual to the Board of Trustees of the John F. Kennedy Center for the Performing Arts: Senator Blunt. **Page S716**

**Library of Congress Trust Fund Board:** The Chair announced, on behalf of the Majority Leader, pursuant to the provisions of Public Law 68–541, as amended by the appropriate provisions of Public Law 102–246, and in consultation with the Democratic Leader, the re-appointment of the following individuals to serve as members of the Library of Congress Trust Fund Board for a five year term: Chris Long, of New York, and Kathleen Casey, of Virginia. **Page S885**

**United States Semiquincentennial Commission:** The Chair announced, on behalf of the Majority Leader, pursuant to the provisions of Public Law 114–196, the appointment of the following individuals to serve as members of the United States Semiquincentennial Commission: Members of the Senate: Senators Cotton and Toomey. Private Citizens: Cathy Gillespie of Virginia, Daniel DiLella of Pennsylvania, Lucas Morel of Virginia, and Tom Walker of Alabama. **Page S943**

**Members of the Finance Committee As Congressional Advisers on Trade Policy and Negotiations:** The Chair, in accordance with Public Law 93–618, as amended by Public Law 100–418, on behalf of the President pro tempore and upon the recommendation of the Chairman of the Committee on Finance, appointed the following Members of the Finance Committee as congressional advisers on trade policy and negotiations to international conferences, meetings and negotiation sessions relating to trade agreements: Senators Hatch, Grassley, Crapo, Wyden, and Stabenow. **Page S943**

**Resignation of Senator Jeff Sessions:** Senator Jeff Sessions, of Alabama, submitted a letter of resignation from the United States Senate, effective 11:55 p.m., Eastern Standard Time, on February 8, 2017. **Page S964**

**Certificate of Appointment—Agreement:** A unanimous-consent agreement was reached providing that at 2 p.m., on Thursday, February 9, 2017, the Chair lay before the Senate a certificate of appointment from the State of Alabama. **Page S969**

**Price Nomination—Agreement:** Senate resumed consideration of the nomination of Thomas Price, of Georgia, to be Secretary of Health and Human Services. **Page S964**

During consideration of this nomination today, Senate also took the following action:

By 51 yeas to 48 nays (Vote No. 60), Senate agreed to the motion to close further debate on the nomination. **Page S963**

A unanimous-consent agreement was reached providing for further consideration of the nomination at approximately 10 a.m., on Thursday, February 9, 2017, post-cloture; and that all time during Morning Business, recess, or adjournment of the Senate, count post-cloture on the nomination. **Page S969**

**Nominations Confirmed:** Senate confirmed the following nominations:

By 51 yeas to 50 nays, Vice President voting yea (Vote No. EX. 54), Elisabeth Prince DeVos, of Michigan, to be Secretary of Education. **Page S824**

During consideration of this nomination today, Senate also took the following action:

By 91 yeas to 4 nays (Vote No. 53), Senate agreed to the motion to instruct the Sergeant at Arms to request the attendance of absent Senators. **Page S716**

By 52 yeas to 47 nays, 1 responding present (Vote No. EX. 59), Jeff Sessions, of Alabama, to be Attorney General. **Pages S824–S963, S974**

During consideration of this nomination today, Senate also took the following action:

By 52 yeas to 47 nays, 1 responding present (Vote No. EX. 55), Senate agreed to the motion to close further debate on the nomination. **Page S824**

By 88 yeas to 3 nays (Vote No. 56), Senate agreed to the motion to instruct the Sergeant at Arms to request the attendance of absent Senators. **Page S855**

By 49 yeas to 43 nays (Vote No. 57), agreed to the ruling of the chair that the words spoken by Senator Warren violate Rule XIX shall stand as the judgment of the Senate. **Page S855**

By 43 yeas to 50 nays (Vote No. 58), Senate rejected the motion that Senator Warren be permitted to proceed in order. **Page S855**

**Nomination Received:** Senate received the following nomination:

Elaine C. Duke, of Virginia, to be Deputy Secretary of Homeland Security. **Page S974**

**Messages from the House:** **Pages S866, S967**

**Measures Referred:** **Page S866**

**Executive Communications:** **Pages S866–67**

**Executive Reports of Committees:** **Page S867**

**Additional Cosponsors:** **Pages S868, S967–68**

**Statements on Introduced Bills/Resolutions:** **Pages S868–69, S968–69**

**Additional Statements:** **Pages S744–45**

**Authorities for Committees to Meet:** **Pages S751, S872, S969**

**Privileges of the Floor:** **Pages S751, S872**

**Quorum Calls:**

Two quorum calls were taken today. (Total—3) **Pages S716, S854**

**Record Votes:** Eight record votes were taken today. (Total—60) **Pages S716, S824, S855, S963**

**Adjournment:** Senate convened at 12 noon, on Monday, February 6, 2017, and adjourned at 9:05 p.m., on Wednesday, February 8, 2017, until 10 a.m. on Thursday, February 9, 2017. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S969.)

## Committee Meetings

(Committees not listed did not meet)

### BUSINESS MEETING

*Committee on Finance:* Committee ordered favorably reported the following business items:

An original resolution (S. Res. 52) authorizing expenditures by the Committee; and adopted its rules of procedure for the 115th Congress.

Also, Committee announced the following subcommittee assignments:

*Subcommittee on International Trade, Customs, and Global Competitiveness:* Senators Cornyn (Chair), Grassley, Roberts, Isakson, Thune, Heller, Casey, Stabenow, Nelson, and McCaskill.

*Subcommittee on Taxation and IRS Oversight:* Senators Portman (Chair), Crapo, Roberts, Enzi, Cornyn, Thune, Burr, Isakson, Toomey, Scott, Warner, Carper, Cardin, McCaskill, Menendez, Bennet, Casey, and Cantwell.

*Subcommittee on Health Care:* Senators Toomey (Chair), Grassley, Roberts, Enzi, Thune, Burr, Isakson, Portman, Heller, Cassidy, Stabenow, Menendez, Cantwell, Carper, Cardin, Brown, Warner, and Wyden.

*Subcommittee on Energy, Natural Resources, and Infrastructure:* Senators Heller (Chair), Grassley, Crapo, Enzi, Cornyn, Burr, Scott, Cassidy, Bennet, Cantwell, Nelson, Menendez, Carper, and Warner.

*Subcommittee on Fiscal Responsibility and Economic Growth:* Senators Scott (Chair), Hatch, and Wyden.

*Subcommittee on Social Security, Pensions, and Family Policy:* Senators Cassidy (Chair), Portman, Crapo, Toomey, Brown, and Casey.

*Senators Hatch and Wyden are ex officio members of each subcommittee.*

*(Committees not listed did not meet)*

(Calendar Day Tuesday, February 7, 2017)

### RECENT YEMEN OPERATION

*Committee on Armed Services:* Committee received a closed briefing on the recent Yemen operation from Theresa Whelan, performing the duties of Under Secretary of Defense for Policy, and J-3 Lieutenant General John L. Dolan, USAF, Joint Staff Director for Operations, both of the Department of Defense.

### CYBER THREATS

*Committee on Armed Services:* Committee received a closed briefing on cyber threats from Admiral Michael S. Rogers, USN, Commander, Cyber Command, Director, National Security Agency, Chief, Central Security Services, Department of Defense.

### BUSINESS MEETING

*Committee on Armed Services:* Committee ordered favorably reported an original resolution (S. Res. 53) authorizing expenditures by the Committee for the 115th Congress.

### THE PLAN TO DEFEAT ISIS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the plan to defeat ISIS, focusing on key decisions and considerations, after receiving testimony from James F. Jeffrey, Washington Institute for Near East Policy, and Jeremy Bash, Beacon Global Strategies, both of Washington, D.C.

### BUSINESS MEETING

*Committee on Veterans' Affairs:* Committee ordered favorably reported the nomination of David J. Shulkin, of Pennsylvania, to be Secretary of Veterans Affairs.

### INTELLIGENCE

*Select Committee on Intelligence:* Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

*(Committees not listed did not meet)*

(Calendar Day Wednesday, February 8, 2017)

### CURRENT READINESS OF U.S. FORCES

*Committee on Armed Services:* Subcommittee on Readiness and Management Support concluded a hearing to examine the current readiness of United States forces, after receiving testimony from General Daniel B. Allyn, USA, Vice Chief of Staff of the Army, Ad-

miral William F. Moran, USN, Vice Chief of Naval Operations, General Glenn M. Walters, USMC, Assistant Commandant of the Marine Corps, and General Stephen W. Wilson, USAF, Vice Chief of Staff of the Air Force, all of the Department of Defense.

### INSPECTOR GENERAL RECOMMENDATIONS

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine Inspector General recommendations for improving Federal agencies, after receiving testimony from Peggy E. Gustafson, Inspector General, Department of Commerce; John Roth, Inspector General, Department of Homeland Security; Calvin L. Scovel III, Inspector General, Department of Transportation; and Allison C. Lerner, Inspector General, National Science Foundation.

### MODERNIZING INFRASTRUCTURE OVERSIGHT

*Committee on Environment and Public Works:* Committee concluded an oversight hearing to examine modernizing our nation's infrastructure, after receiving testimony from William T. Panos, Wyoming Department of Transportation, Cheyenne; Anthony Pratt, Delaware Department of Natural Resources and Environmental Control, Dover, on behalf of the American Shore and Beach Preservation Association; Shailen Bhatt, Colorado Department of Transportation, Denver; Michael W. McNulty, Putnam Public Service District, Scott Depot, West Virginia, on behalf of the West Virginia and National Rural Water Associations; and Cindy Bobbitt, Grant County Commissioner, Medford, Oklahoma, on behalf of the National Association of Counties.

### BUSINESS MEETING

*Committee on Indian Affairs:* Committee ordered favorably reported the following business items:

S. 39, to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana;

S. 63, to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act;

S. 91, to amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal sources;

S. 140, to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund;

S. 245, to amend the Indian Tribal Energy Development and Self Determination Act of 2005;

S. 249, to provide that the pueblo of Santa Clara may lease for 99 years certain restricted land;

S. 254, to amend the Native American Programs Act of 1974 to provide flexibility and reauthorization to ensure the survival and continuing vitality of Native American languages;

S. 269, to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and to the Bristol Bay Area Health Corporation located in Dillingham, Alaska; and

S. 302, to enhance tribal road safety.

#### FEMA'S FEDERAL-TRIBAL RELATIONSHIP

*Committee on Indian Affairs:* Committee concluded an oversight hearing to examine emergency manage-

ment in Indian Country, focusing on improving the Federal Emergency Management Agency's Federal-tribal relationship with Indian tribes, after receiving testimony from Alex Amparo, Assistant Administrator, Recovery Directorate, and Milo Booth, National Tribal Affairs Advisor, Office of External Affairs, both of the Federal Emergency Management Agency, Department of Homeland Security; Russell Begaye, The Navajo Nation, Window Rock, Arizona; J. Michael Chavarria, Santa Clara Pueblo, Espanola, New Mexico; and Cody Desautel, Confederated Tribes of the Colville Reservation, Nespelem, Washington.

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## House of Representatives

### *Chamber Action*

The House was not in session today. The House is scheduled to meet in a Pro Forma session at 2:30 p.m. on Thursday, February 9, 2017.

### *Committee Meetings*

No hearings were held.

### *Joint Meetings*

No joint committee meetings were held.

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#### COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 9, 2017

*(Committee meetings are open unless otherwise indicated)*

#### Senate

*Committee on Armed Services:* to hold hearings to examine the situation in Afghanistan, 9:30 a.m., SD-G50.

*Committee on Foreign Relations:* to hold hearings to examine the United States, the Russian Federation, and the challenges ahead, 10 a.m., SD-419.

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Regulatory Affairs and Federal Management, to hold hearings to examine empowering managers, focusing on ideas for a more effective Federal workforce, 10 a.m., SD-342.

*Committee on the Judiciary:* organizational business meeting to consider committee rules, and S. 178, to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases, 10 a.m., SD-226.

*Select Committee on Intelligence:* to hold closed hearings to examine certain intelligence matters, 2 p.m., SH-219.

#### House

No hearings are scheduled.

*Next Meeting of the SENATE*

10 a.m., Thursday, February 9

*Next Meeting of the HOUSE OF REPRESENTATIVES*

2:30 p.m., Thursday, February 9

## Senate Chamber

**Program for Thursday:** Senate will continue consideration of the nomination of Thomas Price, of Georgia, to be Secretary of Health and Human Services, post-cloture.

At 2 p.m., the Chair will lay before the Senate a Certificate of Appointment for the State of Alabama.

## House Chamber

**Program for Thursday:** House will meet in a Pro Form session at 2:30 p.m.



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